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**Congress of the United States**  
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October 18, 2021

Administrator Debra Shore  
U.S. Environmental Protection Agency - Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3511

Dear Administrator Shore,

I write today to share with you my concerns regarding recent discharges into Lake Michigan, via Burns Waterway, stemming from the U.S. Steel – Midwest Plant outflow.

Within the span of two weeks, two separate discharges have necessitated at points the closure of beaches within the Indiana Dunes National Park and local municipalities, the closure of a water intake facility, and investigations by the Indiana Department of Environmental Management (IDEM). More troubling, these discharges happened nearly a month after the U.S. District Court for the Northern District of Indiana approved a revised consent decree relative to discharge violations that occurred in April 2017.

The consent decree references the implementation of operation and maintenance plans related to the facility's wastewater infrastructure, developed by U.S. Steel, which the U.S. Environmental Protection Agency (EPA) and IDEM did not initially approve, in part, based upon the volume of public comments. The plans ultimately approved by the regulatory agencies, as stated in the consent decree, were updated to include additional operational procedures aimed at avoiding and minimizing spills from the facility's treatment plants, among other items, and U.S. Steel opted to begin complying voluntarily; however, the consent decree documents numerous violations involving discharges into Burns Waterway between late 2018 through the end of 2019. In August 2019, the government noted that U.S. Steel experienced additional issues with oil sheens appearing in outflows, among other issues. While I appreciate the dedication of the plaintiff agencies and respective staff to develop both monetary and nonmonetary requirements to be imposed as a result of the 2017 incident, what is concerning is the repeated discharge of substances into Burns Waterway, which flows directly into Lake Michigan, that continue today and that require investigation.

As the federal Member representing Indiana's First Congressional District, I recognize the balance that must be maintained between Northwest Indiana's industrial economy and its rich biodiversity, including the Lake Michigan ecosystem. It is also imperative that the protection of workers' health and safety must be as important as protecting our environment. As we move forward, simply mitigating environmental violations after the incident is not sustainable and cannot continue to be the norm. More must be done to prevent discharges that are in violation of existing permits into our precious waterways, and I encourage the EPA and IDEM to do your utmost to be vigilant and ensure that the operations and maintenance plans outlined in the consent decree are fully adhered to and implemented.

I appreciate your serious attention to this matter. Please do not hesitate to contact me should you wish to further discuss.

Sincerely,

A handwritten signature in black ink, reading "Frank J. Mrvan". The signature is fluid and cursive, with the first name "Frank" and last name "Mrvan" clearly legible.

Frank J. Mrvan  
Member of Congress

FJM:ej